



**JOINT MEETING OF THE
NYE COUNTY BOARD OF COMMISSIONERS
NYE COUNTY BOARD OF HIGHWAY COMMISSIONERS
NYE COUNTY LICENSING AND LIQUOR BOARD
NYE COUNTY BOARD OF HEALTH**

**AS THE GOVERNING BODY OF THE UNINCORPORATED TOWN OF PAHRUMP
AS THE GOVERNING BODY OF UNINCORPORATED TOWNS OF BEATTY GABBS MANHATTAN
AND AS THE BOARD OF TRUSTEES FOR THE PAHRUMP POOL DISTRICT**

2100 E. Walt Williams Drive, Pahrump, NV 89048

December 19, 2023

10:00 a.m.

Subject to technical difficulties, people may participate by calling 1-888-585-9008 and entering conference room number 255-432-824. Technical difficulties may occur before or during the meeting preventing your ability to call in.

The Chair of the Board of County Commissioners will open public comment periods by announcement. Commenters must press *9 on their telephone keypads to notify Administration they wish to speak.

The meeting is also viewable at www.nyecountynv.gov. There is a 30 to 40 second delay between the in-person meeting and the meeting video.

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendaized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on December 19, 2023 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on December 19, 2023 will be for all matters off the agenda, and be limited to up to three minutes per person. Additionally, public comment of up to three minutes per person may be heard during individual action items. The Commission reserves the right to reduce the time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting. **Decorum** during the meeting must be upheld pursuant to the BOCC Rules of Procedure sections 7.5.3 and 7.5.4 whereby no person in the audience shall engage in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting. Any person who becomes disruptive or interferes with the orderly business of the Board may be removed from the Board Chambers or other meeting room for the remainder of the

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

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Additional Posting Locations: Amargosa Valley Community Center, 821 E. Amargosa Farm Rd., Amargosa Valley, NV; Beatty Community Center, 100 South A Ave., Beatty, NV; Gabbs Town Hall, 503 Brucite St., Gabbs, NV; Round Mountain Community Center, 650 Civic Dr., Round Mountain, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website, or by calling Administration at (775) 482-8192

Seated officials and Appointees- File Annual CE Report and Annual FDS with the Secretary of State by January 15, 2024.

WEBSITE: www.nyecountynv.gov

Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8192 prior to the meeting.

- 1. Pledge of Allegiance**
- 2. GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (FIRST).**
- 3. Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**
- 4. Approval of the Agenda for December 19, 2023 (Non-action item)**
- 5. For Possible Action – Emergency Items**

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

TIMED ITEMS

- 6. 10:00 a.m. – [For Possible Action](#) – Discussion and deliberation regarding the monthly statement of county treasurer pursuant to NRS 354.280 including receipts, balances in funds, money on deposit, outstanding checks, and cash on hand.**
- 7. 10:00 a.m. – [Presentation](#) by Shelley Poerio with Living Free Health & Fitness, A Non-Profit Corporation, regarding program status, outcome results, a budget status report and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Public Health Assistance-Mental Health. (10-minute time limit)**
- 8. 10:00 a.m. – [Presentation](#) by Nancy Guin with Tails of Nye County regarding program status, outcome results, a budget status report and future goals pursuant to the Nye County ARPA Recovery Plan and Policy: Public Health Assistance- Mental Health Grant. (10-minute time limit)**
- 9. 10:00 a.m. – [Presentation](#) by Christopher Salute, Director of the Pahrump Valley Center, Great Basin College, and Joe Burdzinski regarding the Great Basin College Program Expansion. (10-minute time limit)**
- 10. 10:00 a.m. – [For Possible Action](#) – Presentation, discussion and deliberation regarding a request from Nye Communities Coalition, to place Naloxone Harm Reduction Vending Machines in the Community Health Nurse office in Pahrump, located at 1981 E. Calvada Blvd, Suite 100, Pahrump NV. (10-minute time limit)**

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11. **10:00 a.m. – [For Possible Action](#) – Hearing to Show Cause**, discussion and deliberation to determine if there is sufficient cause to revoke:
 - a. Adult-Use Cannabis License (Cultivation) CBL-23-30; and
 - b. Medical Cannabis License (Cultivation) CBL-23-31; located at 5400 N. Highway 160, Pahrump, NV. Assessor’s Parcel Number 029-311-13. Diversified Development Group – Property Owner. Rick Saga / Nye Farm Tech, LTD – Licensee.
12. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on AP-23-5: An Appeal of the Pahrump Regional Planning Commission’s denial of the following items relating to Waiver application WV-23-12:
 - a. Waiver from Nye County Code 17.04.730(D)(4) “Construction and Design Requirements: Surface” to waive the requirement to provide asphaltic concrete or double layer chip sealed surfacing for driveways, drive aisles and parking lot; and
 - b. Waiver from Nye County Code 17.04.730(E) “Conventional Parking Accommodations” to waive the requirement to provide the minimum number of required paved parking spaces; on property located at 851 S. Lola Lane, Pahrump, NV. Assessor’s Parcel Number 035-354-14. Dennis & Elizabeth Vehe Trustees – Property Owner. Thomas Vehe – Agent/Appellant.
13. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion and deliberation on ETSU-23-14: An application for an Extension of Time of ZCMP-22-16, a Conforming Zone Change to change one (1) parcel totaling approximately 1.87 acres from Open Space (OS) to Village Residential (VR-8), to allow additional time to construct a single-family residence, located at 581 S. Ishani Ridge Court, Pahrump, NV. Assessor’s Parcel Number 035-722-27. Ricardo Luis Montalvo – Property Owner. Edgar Montalvo – Applicant/Agent.
14. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-18: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 14.094 acres. Assessor Parcel Numbers 038-131-01 through 56; 038-132-01 through 43; and 038-141-01. Nye County Planning – Applicant, Multiple – Property Owners.
15. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-22: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 12.702 acres. Assessor Parcel Numbers 038-141-02 through 15; 038-142-01 through 49; 038-143-01 through 35; and 038-151-01 through 02. Nye County Planning – Applicant, Multiple – Property Owners.
16. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-23: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 14.501 acres. Assessor Parcel Numbers 038-151-03 through 39; 038-152-01 through 35; 038-153-01 through 29. Nye County Planning – Applicant, Multiple – Property Owners.

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17. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-24: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 13.34 acres. Assessor Parcel Numbers 038-153-30 through 37; 038-161-01 through 37; 038-162-01 through 32; 038-163-01 through 23. Nye County Planning – Applicant, Multiple – Property Owners.
18. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-25: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 14.034 acres. Assessor Parcel Numbers 038-163-24 through 36; 038-171-01 through 18; 038-172-01 through 33; 038-173-01 through 36. Nye County Planning – Applicant, Multiple – Property Owners.
19. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-26: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 12.886 acres. Assessor Parcel Numbers 038-173-37 through 47; 038-181-01 through 31; 038-182-01 through 24; 038-191-01 through 34. Nye County Planning – Applicant, Multiple – Property Owners.
20. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-27: an application for a Conforming Major Master Plan Amendment to change the designation of Low Density Residential (LDR) to High Density Residential (HDR) for one hundred (100) parcels, totaling 14.06 acres. Assessor Parcel Numbers 038-191-35 through 63; 038-192-01 through 41; 038-201-04 through 14; 038-202-01 through 19. Nye County Planning – Applicant, Multiple – Property Owners.
21. **10:00 a.m. – [For Possible Action](#) – Public Hearing**, discussion, and deliberation on ZCMP-23-28: an application for a Conforming Major Master Plan Amendment to change the designation of LDR (Low Density Residential) to HDR (High Density Residential) for eleven (11) parcels, totaling 2.148 acres. Assessor Parcel Numbers 038-202-20 through 30. Nye County Planning – Applicant, Multiple – Property Owners.

SITTING AS THE BOARD OF COUNTY COMMISSIONERS

22. **CONSENT AGENDA ITEMS – These are items that Staff recommends for approval. The Board reserves the right to move any consent agenda item to the regular segment of the agenda should issues arise that need to be addressed. Discussion of any item from the Consent Agenda Items that needs review before a decision is made.**
 - 22.1 **[For Possible Action](#)** – Approval of the Elected Official Collection Report regarding fees collected from elected county departments for services rendered by or provided to county citizens.
 - 22.2 **[For Possible Action](#)** – Approval of the meeting minutes from the joint meeting on October 17, 2023.

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- 22.3** [For Possible Action](#) – Approval of Assessor’s Office Change Request to allow the Nye County Assessor/Treasurer to process and:
- a. Issue a refund in the amount of \$101.70 to John B. Jr., & Linda MacPherson, owners of 0 Florence Rd., Tonopah, NV, Assessor's Parcel Number 008-301-11.
 - b. Issue an amended tax bill in the amount of \$95.06 to Grant Mitchell Saxena, owner of 1631 W. Windsong Ln., Pahrump, NV, Assessor's Parcel Number 036-272-03.
 - c. Issue a refund in the amount of \$179.61 to Darrell L. Young, Jr., owner of 2360 S. Mallard Ave., Pahrump, NV, Assessor's Parcel Number 042-311-15.
- 22.4** [For Possible Action](#) – Approval of Return of Sale; Affidavits of Publication pursuant to NRS 361.595 for the Nye County Trust Property Online Auction result held on October 17 through 19, 2023.
- 22.5** [For Possible Action](#) – Approval to:
- a. Accept Interlocal Contract Between Public Agencies - State of Nevada, Division of Health Care Financing and Policy (DHCFP); and Nye County for administrative services necessary to operate the Medicaid County Match Program and to share the cost of long-term care within the Scope of Work not to exceed \$.08 with a total maximum contract amount not to exceed \$2,091,742.44;
 - b. Execute the Interlocal Contract; and
 - c. Fund to 10284 - Dedicated Medical Indigent Fund.
- 22.6** [For Possible Action](#) – Approval to:
- a. Accept a Funding Agreement with NyE Communities Coalition to provide for a case manager, Community Health Worker (CHW) and services to the community through the FASTT/MOST program for calendar year 2024 in the amount of \$94,854.00;
 - b. Execute the Funding Agreement; and
 - c. Fund to 10340 - Indigent Accident Fund
- 22.7** [For Possible Action](#) – Approval to:
- a. Accept the Department of Justice State Criminal Alien Assistance Program (SCAAP) grant award in the amount of \$1,258.00 to provide funding for Nye County Sheriff’s Office personnel costs related to U.S. Immigration and Customs (ICE) inmates. There is no match required;
 - b. Allow a one-time exception for the Comptroller or designee to electronically accept the grant award; and
 - c. Fund \$1,258.00 to 10340 Grants.

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22.8 [For Possible Action](#) – Approval to:

- a. Accept the Nevada Administrative Office of the Courts (AOC) Trial Court Improvement Grant award in the amount of \$49,264.89 to provide funding for the security camera upgrade at the Pahrump Justice Court. There is a required match of \$26,527.25;
- b. Allow a one-time exception for Justice Court Administrator, Alisa Shoults to execute the grant award; and
- c. Fund \$49,264.89 to 10340 Grants and \$26,527.25 to 10244 JP Court Collection Fees.

22.9 [For Possible Action](#) – Approval to:

- a. Accept the State of Nevada Emergency Management Performance Grant (EMPG) award in the amount of \$56,782.18 to provide funding for the salary costs of the Director of Emergency Management Scott Lewis. There is no match required;
- b. Allow a one-time exception for Contracts and Grants Manager, Stephani Elliott to electronically accept the grant award; and
- c. Fund \$56,782.18 to 10340 Grants.

22.10 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire South 30.00 feet fronting West Brushwood Street of the property located at 3782 West Brushwood Street, Amargosa Valley, NV, Assessor's Parcel Number 019-551-17 from Nye County and designate West Brushwood Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements.

22.11 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire North 30.00 feet fronting West Lapis Road located at 1341 West Lapis Road Pahrump, NV, Assessor's Parcel Number 028-125-03 from Nye County and designate West Lapis Road as a Minor County Road, rejecting maintenance for the purpose of future road improvements.

22.12 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 30.00 feet fronting North Pyramid Street and the South 30.00 feet fronting East Chess Way of the property located at 1710 East Chess Way, Pahrump, NV, Assessor's Parcel Number 029-661-05 from Nye County and designate North Pyramid Street and East Chess Way as Minor County Roads, rejecting maintenance for the purpose of future road improvements.

22.13 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire South 30.00 feet fronting East Jent Road of the property located at 1650 East Jent Road Pahrump, NV, Assessor's Parcel Number 029-668-06 from Nye County and designate East Jent Road as a Minor County Road, rejecting maintenance for the purpose of future road improvements.

22.14 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire North 30.00 feet fronting East Moses Road of the property located at 1591 East Moses Road Pahrump, NV, Assessor's Parcel Number 029-675-02 from Nye County and designate East Moses Road as a Minor County Road, rejecting maintenance for the purpose of future road improvements.

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- 22.15 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 20.00 feet fronting North Ben Street of the property located at 6361 North Quebrada Ave Pahrump, NV, Assessor's Parcel Number 030-291-22 from Nye County and designate North Ben Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements.
- 22.16 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 20.00 feet fronting North Ben Street of the property located at 6341 North Quebrada Ave Pahrump, NV, Assessor's Parcel Number 030-301-09 from Nye County and designate North Ben Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements.
- 22.17 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 20.00 feet fronting North Ben Street of the property located at 6151 North Remos Lane Pahrump, NV, Assessor's Parcel Number 030-312-09 from Nye County and designate North Ben Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements.
- 22.18 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 20.00 feet fronting North Ben Street of the property located at 6121 North Remos Lane Pahrump, NV, Assessor's Parcel Number 030-312-12 from Nye County and designate North Ben Street as a Minor County Road, rejecting maintenance for the purpose of future road improvements.
- 22.19 [For Possible Action](#) – Approval of an offer of dedication for road right of way being the entire East 30.00 feet fronting North Heather Way and the South 30.00 feet fronting East Christine Way located at 2720 East Christine Way, Pahrump, NV, Assessor's Parcel Number 035-263-08 and designate North Heather Way and East Christine Way as Minor County Roads, rejecting maintenance for the purpose of future road improvements fronting the property.

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- 23. [For Possible Action](#) – Discussion and deliberation to:
 - a. Approve the purchase of one (1) property described as 1871 E. Mesquite Ave., Pahrump, NV Assessor's Parcel Number: 035-011-06, consisting of 36.08 acres including improvements thereon; for the potential purpose of an alternative location for a shooting range and future Pahrump landfill expansion needs;
 - b. Approve compensation for the property to the property owner based on the appraisal in the amount of \$1,080,000.00;
 - c. Fund from Fund 10401 Capital Projects - County; and
 - d. Direct staff to prepare and record the documentation necessary to transfer the property.

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CLERK

24. [For Possible Action](#) – Discussion and deliberation to:
- Appoint two members to the Beatty Town Advisory Board due to expiring terms from the following list of applicants: Erika Gerling and Randy Reed; or
 - Readvertise for the appointment.
25. [For Possible Action](#) – Discussion, deliberation and direction to staff on whether or not to relocate the County Clerk's Office equipment and non-court clerk staff from the Ian Deutch Government Complex in Pahrump to a location determined by the Board of County Commissioners.

SHERIFF

26. [For Possible Action](#) – Discussion and deliberation to issue a Display Fireworks Event Permit to the Amargosa Valley Improvement Association for an aerial display for their End of Year Event on Saturday, December 30, 2023. This event is being held at Amargosa Park, 1639 E. Amargosa Farm Rd., Amargosa Valley, NV. Jennifer Lindsey - Applicant.

FACILITIES

27. [For Possible Action](#) – Discussion and deliberation to:
- Discuss the bid proposal received for Bid No. 2023-20 Pahrump Janitorial Services;
 - Award bid 2023-20 Pahrump to Disinfecting Solution, LLC in the amount of \$214,446.00;
 - Approve, amend and approve or reject the contract with selected bidder;
 - Fund \$214,446.00 to 10101 General; or
 - Reject bid and provide direction to staff on how to proceed with the project.

FINANCE

28. [For Possible Action](#) – Presentation, discussion and deliberation to approve, amend and approve, or reject the program budget adjustment request from Nancy Guin with Tails of Nye County under the Nye County ARPA Recovery Plan and Policy: Public Health Assistance- Mental Health Grant.

HUMAN RESOURCES

29. [For Possible Action](#) – Discussion and deliberation to set the minimum compensation of the Justices of the Peace elected into office effective January 2025 at \$80,641.86 annually.

PLANNING/BUILDING/CODE COMPLIANCE

30. [For Possible Action](#) – Discussion and deliberation to adopt, amend and adopt, or reject Nye County Resolution No. 2023-40: A Resolution Adopting a Temporary Moratorium on Lithium Mining and Exploration.

PUBLIC PETITIONER

31. [For Possible Action](#) – Discussion and deliberation regarding Nye County Proclamation No. P2023-10: A Proclamation Recognizing the Month of January 2024 as National Radon Action Month in Nye County.

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32. **GENERAL PUBLIC COMMENT (up to three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (SECOND).**

33. **Commissioners'/Manager's Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas)**

34. **ADJOURN**

Nye County Board of County Commissioners Meeting Participation Information:

- Call **1-888-585-9008** and enter conference room code **255-432-824**.
- Public comment periods will be opened by announcement.
- Commenters must press *9 if they wish to speak. You will hear “the organizer sees your raised hand” when the control has been properly engaged.
- When it is your turn to give comment, you will hear “you may now speak” and must identify yourself by saying and spelling your first and last name.

Notes:

- The meeting is viewable at http://nyecounty.granicus.com/ViewPublisher.php?view_id=4 there will be a 40 second delay from the video to the call.
- Report issues to Nye County Admin at nyeadmin@co.nye.nv.us or by calling 775-482-8192